

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

REGINALD ALLEN

Petitioner,

Vs.

ALAN LAZAROFF, Warden

Defendant-Appellant.

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CASE NO. C-1-01-810

Judge Dlott

Magistrate Judge Perelman

**MOTION FOR EXTENSION OF TIME TO FILE REPLY
TO STATE'S RESPONSE**

COMES NOW, Counsel for the Petitioner herein, Reginald Allen, and requests that this Court extend the time for filing the Reply in this case thirty (30) days. In support thereof, Counsel states the following:

1. That the Amended Return was served only on Client, not on Counsel.
2. That Counsel has an appellate brief due in the case of U.S.A. vs. Sabnio, United States Court of Appeals for the Sixth Circuit, Case No. 04-3499 on April 28, 2004.
3. That Counsel was in Miami, Florida, on a case on April 26 and April 27, 2004.
4. Counsel has spoken with Joseph Bodine , Assistant Attorney General, who indicates that he has no objection to a 30-day extension in this case.

WHEREFORE, Counsel respectfully requests that this Court grant an extension of time of 30 days, up to and including May 28, 2004, for the filing of Petitioner's Reply in this matter.

Respectfully submitted,

s/Kevin M. Schad

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document has been sent this ____ day of _____, 2004, by regular U.S. Mail with sufficient postage affixed thereto to ensure delivery, and addressed to:

Joseph Bodine
Assistant Attorney General
140 East Gay Street, 16th Floor
Columbus, Ohio 43215-3400

s/Kevin M. Schad

Kevin M. Schad
Attorney for Petitioner

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**ORDER GRANTING PETITIONER'S
REQUEST FOR EXTENSION OF TIME**

Upon good cause shown, the Court hereby grants the Petitioner an extension of time up to and including May 28, 2004, to file a reply to the State's Answer in this case.

United States District Judge
Date: